



MINUTES OF SEPTEMBER 6, 2016
REGULAR MEETING OF THE COVINA CITY COUNCIL/SUCCESSOR AGENCY TO
THE COVINA REDEVELOPMENT AGENCY/COVINA PUBLIC FINANCING
AUTHORITY/COVINA HOUSING AUTHORITY HELD IN THE COUNCIL
CHAMBER OF CITY HALL, 125 EAST COLLEGE STREET, COVINA, CALIFORNIA

CALL TO ORDER

Mayor Stapleton called the Council/Agency/Authority meeting to order at 6:33 p.m. with all Councilmembers present. There were no public comments. Mayor Stapleton recessed the Council to closed session at 6:33 p.m.

ROLL CALL

Councilmembers Present: Walter Allen III, Peggy A. Delach, John C. King, Mayor Pro Tem/Vice-Chair Jorge A. Marquez, and Mayor/Chair Kevin Stapleton.

Councilmembers Absent: None.

Elected Members Present: City Clerk Mary Lou Walczak and City Treasurer Geoffrey Cobbett.

Staff Members Present: Interim City Manager Donald E. Penman, City Attorney Candice K. Lee, Interim Police Chief Kim Raney, Community Development Director Brian Lee, Public Works Director Siobhan Foster, Parks and Recreation/Library Director Amy Hall-McGrade, Human Resources Director Danielle Tellez, Finance Director Anita Agramonte, Battalion Chief Richard Stillwagon, and Chief Deputy City Clerk/Records Management Director Sharon F. Clark.

CLOSED SESSION

A. Government Code § 54956.9(d)(4) – CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION

Initiation of litigation: One Matter

B. Government Code § 54957.6 – CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representative: Danielle Tellez, Human Resources Director

Employee Organizations: American Federation of State, County and Municipal Employees (AFSCME); Police Association of Covina (PAC); Police Management Group (PMG); and Police Supervisors of Covina (PSC)

C. Government Code § 54957.6 – CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representative: Danielle Tellez, Human Resources Director

Unrepresented Employees: Mid-Management, Supervisory and Professional, and Confidential and Technical Employees; and Executive Employees (excluding the City Manager)

RECONVENE AND CALL TO ORDER

Mayor Stapleton reconvened the meeting into open session at 7:30 p.m.

PLEDGE OF ALLEGIANCE

Councilmember Delach led the Pledge of Allegiance.

INVOCATION

Covina Police Chaplain Truax gave the invocation.

CLOSED SESSION REPORT

City Attorney Lee announced that Closed Session item A had been cancelled and that for Closed Session items B and C, there was no reportable action taken and direction was given to staff.

PRESENTATIONS

Recognition of Junior Olympics Javelin Champion Maya Rush

Mayor Stapleton presented Junior Olympics Champion Maya Rush with a certificate of recognition for her achievements in the Junior Olympics and other regional, state and national competitions.

Adjournment in Memory

Mayor Stapleton presented certificates commemorating Adjournment in Memory to Planning Commission Win Patterson in memory of his mother, Elaine O. Patterson, and to Casey O'Leary-Hempel in memory of her father, Jack O'Leary.

PUBLIC COMMENTS

Leonard Wayne Rose, Jr. spoke about supernatural personages and occurrences, and related publications and programs.

Dora Gomez provided statistics on assistance provided by Project 2911 during Fiscal Year 2015-2016, thanked the Aim Higher and Higher Hope programs for their contributions, announced the start of a computer class on September 14, 2016, invited the community to a dinner auction on October 13, 2016, at the Covina Center for the Performing Arts, and thanked everyone for their support.

Los Angeles County Fire Department Battalion Chief Stillwagon provided a report on a commercial-structure fire on August 31, 2016, at 377 S. Citrus Avenue, noting that the cause is under investigation. Mayor Stapleton added that West Covina had also assisted.

Councilmember King requested a report about how clean-up from the fire will be accomplished. Interim City Manager Penman responded that the City has issued a notice and order to abate a dangerous building, and it is the City's understanding that the owner's intention is to demolish the site as soon as possible.

COUNCIL/AGENCY/AUTHORITY COMMENTS

Councilmember King thanked firefighters and police officers for their response to August 31, 2016, fire.

Councilmember Allen thanked the Fire and Police Departments for their assistance with the fire and stated he is hopeful that the origin of the fire will be discovered quickly.

Councilmember Delach expressed sympathy to Planning Commissioner Patterson on the loss of his mother, and requested that Police Chief Raney comment on upcoming ballot measure Proposition 64 which would legalize marijuana in California.

Police Chief Raney explained that Proposition 64 would decriminalize personal use of marijuana in California but that it would still be a Federal offense; that issues include language in the proposition that does not preclude TV ads and great concern that ads will influence young people in their lifestyle choices; the biggest impact will be on roadways with another intoxicant added into society; that science has not yet determined standards to define driving under the influence of marijuana so prosecution is very difficult; that Colorado and Washington states have seen a large increase in emergency room cases of children who have accidentally ingested marijuana edibles; and summarized that passage of the Proposition would have huge impacts on quality of life in our communities, and that large amounts of capital are poised to come in and make a lot of money from our citizens and community should it pass.

Councilmember Delach stated that it is important for people to realize the effect that passage of Proposition 64 would have and that other states which have decriminalized marijuana are having big problems because of it. She announced an iTEC Communication meeting of Foothill Transit, the City of Covina, and Covina Police Department on Saturday, September 10, 2016, from 10:00 a.m. to 12:00 p.m., and requested that Council receive an update on the status of current projects going on in the City at one Council meeting each month, so that Council can update the residents.

Mayor Pro Tem Marquez encouraged participation in a 5K run benefiting the Charter Oak Education Foundation on September 18, 2016, and commented that he has been contacted by residents requesting a designated internet purchase exchange area. Police Chief Raney replied that it would be a zoning issue and would need a lot of study. Councilmember King commented that in Kentucky, a town had two parking spaces with video surveillance in front of the police station for that purpose. Mayor Stapleton responded that perhaps the City Manager can bring back ideas on the pros and cons of setting up such an area.

Mayor Stapleton commented that Autism Highway organizer Kelly Green, who has been affiliated with the City through the Chalk Festival held in Covina, is being honored at 7th annual Naturally Autistic Peoples Award Festival in Vancouver, Canada, at the end of the month and that more detail will be given at the next City Council meeting. He reported the passing of John "Jack" O-Leary, Jr., Elaine O. Patterson, retired Covina Fire Chief James H. Murphy, and Lanna

Law, and that the meeting would be adjourned in their memory, as well as in memory of the young man who was killed in the internet purchase incident. He commented on a recent Sanitation District Board Meeting and the Inter-Community Hospital Emergency Department Grand Opening; and announced that Friday, September 9, 2016, is Covina Day at the L.A. County Fair, during which Joelle Peelgren will be honored as Covina's Community Hero, and a community parade will begin at 5:00 p.m. In closing, he requested that Parks and Recreation/Library Director Hall-McGrade report on the 9-11 event being held at the Covina Library, and announced that there would also be 9-11 events at Faith Community Church on Sunday, September 11, 2016.

Parks and Recreation/Library Director Hall-McGrade announced the 9-11 Remembrance Event at Covina Library on Saturday, September 20, 2016, at 2:00 p.m., and provided additional detail.

CITY MANAGER COMMENTS

Interim City Manager Penman, in response to Councilmember Delach's request, suggested that an update on current City projects be presented to Council at the second study session meeting of each month. There was a consensus of the Council to accept the schedule for the updates.

Interim City Manager Penman announced that Consent Calendar item CC 9, Authorization to Renew the Annual Leverage Camera System Maintenance Contract, would be pulled from the agenda and brought back for Council's consideration at the September 20, 2016, regular Council meeting. He requested the addition of New Business item NB 3, Resolution No. 16-7519 to Amend the FY 2017 Capital Improvement Program Budget to Increase Funding for the Pavement Preservation Program by \$153,400 for the City's Participation in the Los Angeles County Bellbrook Street, Et Al Pavement Preservation Project for Portions of Coolfield Drive, Fredkin Drive, Queenside Drive, and Edna Place to tonight's agenda, explaining that there is need for immediate action and that the necessary information came to the attention of City staff subsequent to the posting of tonight's agenda.

A motion was made by Councilmember King, seconded by Mayor Pro Tem Marquez, to make findings that there is an immediate need to take action on this item and that the need to take action came to the attention of City staff subsequent to the posting of tonight's agenda.

Motion approved findings and addition of New Business item NB 3 as follows:

AYES: ALLEN, DELACH, KING, MARQUEZ, STAPLETON
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

CONSENT CALENDAR

Councilmember Delach announced her abstention from voting on item CC 1 and noted that the study session minutes attached to the agenda item were from July 19, 2016, rather than August 16, 2016.

A motion was made by Councilmember King, seconded by Councilmember Allen, to approve Consent Calendar items CC 1 – 8 and 10 as presented.

Motion approved Consent Calendar item CC 1 as follows:

AYES: ALLEN, KING, MARQUEZ, STAPLETON
NOES: NONE
ABSTAIN: DELACH
ABSENT: NONE

Motion approved Consent Calendar item CC 2 – 8 and 10 as follows:

AYES: ALLEN, DELACH, KING, MARQUEZ, STAPLETON
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

- CC 1. City Council approved the Minutes of the August 16, 2016, Regular Meeting of the City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Financing Authority/Housing Authority.
- CC 2. City Council approved the payment of City demands in the amount of \$2,738,875.71.
- CC 3. Successor Agency to the Covina Redevelopment Agency approved the payment of Agency demands in the amount of \$65,379.56.
- CC 4. City Council adopted **Resolution No. 16-7516** confirming continued existence of an emergency condition for the Residual Control System at the Charter Oak Reservoir Site pursuant to Chapter 2.5 (Emergency Contracting Procedures) of the Public Contracts Code.
- CC 5. City Council waived full reading, read by title only and adopted on second reading **Ordinance No. 16-2059** entitled, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING SECTIONS OF COVINA MUNICIPAL CODE CHAPTER 14 TO DELETE THE BOARD OF APPEALS AS AN ADVISORY BODY OF THE CITY.”
- CC 6. City Council waived full reading, read by title only and adopted on second reading **Ordinance No. 16-2060** entitled, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING CHAPTER 17.81 OF THE COVINA MUNICIPAL CODE, TO DELETE THE HISTORIC PRESERVATION BOARD AS AN ADVISORY BODY OF THE CITY AND TRANSFER ALL DUTIES THEREOF TO THE PLANNING COMMISSION.”
- CC 7. City Council adopted **Resolution No. 16-7515** adopting an investment policy for the City’s investment portfolio for Fiscal Year 2016-2017, and Successor Agency to the Covina Redevelopment Agency adopted **Resolution No. 16-038** adopting an investment policy for the Agency’s investment portfolio for Fiscal Year 2016-2017.
- CC 8. City Council approved Professional Services Agreements with Martin & Chapman Company and City Clerk Management Services, Inc. for Election Consulting Services for the March 7, 2017, General Municipal Election; authorized the Interim City Manager to execute the agreements; and adopted **Resolution No. 16-7518** amending the Fiscal Year 2016-17 Budget by \$24,410.68 for Elections consulting and postage.

CC 10. City Council authorized the Interim City Manager to execute the Grand Avenue Rehabilitation, Arrow Highway to San Bernardino Road Project – City of Covina-County of Los Angeles Cooperative Agreement; and made a finding that the project is categorically exempt pursuant to Sections 15301(c) and 15304(b) of the California Environmental Quality Act (CEQA).

PUBLIC HEARING – None.

CONTINUED BUSINESS

CB 1. Covina Irrigating Company (CIC) Board of Directors Nominee.

The staff report was presented by Interim City Manager Penman who explained that the names of Katarina Garcia, Jack Fielding, Fran Delach and Kim Raney had been submitted for consideration as the City's nominee. He clarified that the nominee could be changed at any point in the future and that a temporary representative could also be selected. Councilmember King added Chuck Kemp, and Councilmember Delach added Win Patterson for consideration.

There was no public comment.

In response to a question from Mayor Stapleton as to proper procedure for discussion, City Attorney Lee recommended discussing candidates other than Fran Delach first, so that Councilmember Delach could participate before recusing herself from discussion on her husband's candidacy.

Councilmember Allen stated he would prefer to find out which candidates are interested before voting on a permanent nominee, and that Jack Fielding could be a place-holder while it is ascertained if the others are interested.

Mayor Stapleton received confirmation from Interim City Manager Penman that the understanding from CIC is that the nominee may be replaced at any time.

Councilmember Delach recused herself since her husband was a nominee and left the dais and Chamber.

Council discussion followed about the qualifications of various candidates, the deadline of September 15, 2016, to submit a name to CIC in order for CIC to get the proxy ballots out in time, the need for an incompatible offices analysis for the candidates, possible conflicts of interest for various candidates, the desirability of choosing a permanent nominee for stability rather than a temporary one, and the need to have a nominee who understands how the City operates.

Councilmember Allen asked Police Chief Raney if he would be interested in being the nominee. Chief Raney replied that he would be interested, but would like more information first.

A motion was made by Mayor Stapleton, seconded by Councilmember Allen to submit Kim Raney as the City's nominee for the vacancy on the Covina Irrigating Company Board of Directors. City Attorney Lee recommended clarifying if Chief Raney would accept as nominee

or only on an interim basis. Chief Raney replied that he could take a leap of faith and was willing to accept the nomination.

Motion approved Continued Business item CB 1 as follows:

AYES: ALLEN, KING, STAPLETON
NOES: MARQUEZ
ABSTAIN: DELACH
ABSENT: NONE

Councilmember Delach returned to the dais.

NEW BUSINESS

NB 1. Notification of termination of HUD/LAHSa Continuum of Care grant for the Transitional House effective FY 2017-2018.

The staff report was presented by Community Development Director Lee. There was no public comment.

Following several Council questions about funding options including reaching out to Congressman Napolitano, Community Development Director Lee replied that he will continue to research other funding sources.

A motion was made by Councilmember King, seconded by Mayor Pro Tem Marquez, to receive and file the report.

Motion approved New Business item NB 1 as follows:

AYES: ALLEN, DELACH, KING, MARQUEZ, STAPLETON
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

NB 2. Payment to Vavrinek, Trine, Day & Co., LLP for Accounting Services Assisting with the Preparation of the Fiscal Year 2014-15 Audit and CAFR.

The staff report was presented by Finance Director Agramonte. There was no public comment.

In response to questions from Mayor Stapleton as to how to avoid this situation in the future, Finance Director Agramonte explained that she is looking at restructuring and reorganizing to accomplish all tasks in-house, and that although there is a current need for temporary staff, the cost is far less than was paid last year. Interim City Manager Penman explained that there are hold-over bills from before Finance Director Agramonte began work with the City, and that staff will be bringing back a suggestion to Council to deal with the business license program. City Attorney Lee indicated she would work with staff to determine if a contract amendment is needed for this item.

A motion was made by Councilmember King, seconded by Councilmember Allen, to approve payment of final invoice to Vavrinek, Trine, Day & Co., LLP for accounting services assisting

with the preparation of the Fiscal Year 2014-15 Audit and CAFR in the amount of \$14,820, and adopt **Resolution No. 16-7517** appropriating \$58,900 for the auditing and accounting services.

Motion approved New Business item NB 2 as follows:

AYES: ALLEN, DELACH, KING, MARQUEZ, STAPLETON
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

NB 3. Resolution No. 16-7519 to Amend the FY 2017 Capital Improvement Program Budget to Increase Funding for the Pavement Preservation Program by \$153,400 for the City's Participation in the Los Angeles County Bellbrook Street, Et Al Pavement Preservation Project for Portions of Coolfield Drive, Fredkin Drive, Queenside Drive, and Edna Place.

The staff report was presented by Public Works Director Foster. There was no public comment.

A motion was made by Councilmember Delach, seconded by Mayor Pro Tem Marquez, to adopt **Resolution No. 16-7519** amending the FY 2017 Capital Improvement Program Budget to Increase Funding for the Pavement Preservation Program by \$153,400 for the City's Participation in the Los Angeles County Bellbrook Street, Et Al Pavement Preservation Project for Portions of Coolfield Drive, Fredkin Drive, Queenside Drive, and Edna Place.

Councilmember King requested that Public Works Director Foster ask the County if Lark Ellen Place, a private street in the County area, could be included in this project due to repeated requests from a resident on that street.

Motion approved New Business item NB 3 as follows:

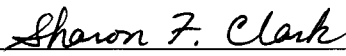
AYES: ALLEN, DELACH, KING, MARQUEZ, STAPLETON
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ADJOURNMENT

Interim City Manager Penman announced that there will be an update on the Senior Center project presented at the next study session meeting and encouraged interested residents to attend.

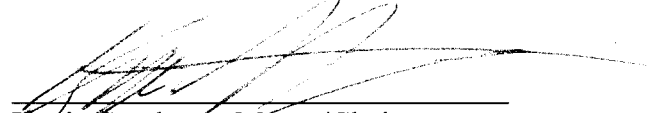
At 8:49 p.m., the meeting of the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Financing Authority/Covina Housing Authority was adjourned in memory of Jack O'Leary, Elaine O. Patterson, James H. Murphy, Lanna Law, and the young man who was killed in the internet purchase incident to its next regular meeting of the Council/Agency/Authority scheduled for Tuesday, September 20, 2016, at 5:00 p.m. for Study Session in the Covina Library Community Room at 234 N. Second Avenue, Covina, California, 91723; and at 6:30 p.m. for closed session and 7:30 p.m. for open session inside the Council Chamber, 125 East College Street, Covina, California, 91723.

Respectfully submitted:



Sharon F. Clark, CMC
Chief Deputy City Clerk

Approved this 20th day of September, 2016:



Kevin Stapleton, Mayor/Chair